

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KATHLEEN SHINN and RICHARD  
 SHINN,

Plaintiffs,

v.

BAXA CORPORATION, *et al.*,

Defendants.

2:07-CV-01648-JCM-CWH

**ORDER**

Presently before the court is defendant Baxa Corporation's motion in limine to prohibit the introduction of subsequent remedial measures. (Doc. #120). Plaintiffs opposed the motion (doc. #128), and Baxa Corporation filed a reply on April 4, 2011 (doc. #134).

Currently, there is no trial date for this matter. When Baxa Corporation filed its motion in limine, the parties were still in discovery and "none of the parties' expert witnesses ha[d] yet been deposed." (Doc. #128).

The court is not inclined to grant defendant's motion at this time. The relevant issues have not been presented to the court in a sufficiently well-established manner. Without an approaching trial date or the close of discovery, the court is not prepared to rule on the merits of defendant's motion. Defendant may renew this motion at a more appropriate time.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant Baxa Corporation's motion in limine to prohibit the introduction of subsequent remedial measures (doc. # 120) be, and the same hereby is, DENIED.

DATED: August 29, 2011.

  
 UNITED STATES DISTRICT JUDGE